

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ETC NORTHEAST PIPELINE, LLC	)	Case No. 2:19-cv-00662-NBF
	)	
Plaintiff and Counterclaim Defendant,	)	
	)	
vs.	)	<b>JOINT MOTION TO</b>
	)	<b>TRANSFER VENUE TO</b>
EM ENERGY PENNSYLVANIA, LLC	)	<b>DELAWARE DISTRICT</b>
	)	<b>COURT</b>
Defendant and Counterclaim Plaintiff.	)	
	)	

Plaintiff and counterclaim defendant, ETC Northeast Pipeline, LLC ("ETC"), and defendant and counterclaim plaintiff, EM Energy Pennsylvania, LLC ("EM Energy (PA)") and together with ETC, the "Movants"), hereby jointly move this Court for entry of an order transferring the present action to the Delaware District Court for referral to the United States Bankruptcy Court for the District of Delaware (the "Joint Motion") pursuant to 28 U.S.C. §§ 1404(a) and 1412.<sup>1</sup>

This present action was originally commenced in the Court of Common Pleas of Allegheny County, Pennsylvania, Case No. 19-002052, and was subsequently removed to this Court on June 7, 2019. (Doc. No. 1). Under Section 1404(a), "for the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented." 28 U.S.C. § 1404(a); see also 28 U.S.C. § 1412 (allowing a district court to transfer a case or proceeding under title 11 to another district "in the interest of justice or for the convenience of the parties."). The Movants agree that, for the convenience of the parties and witnesses, and in the

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<sup>1</sup> By agreeing to transfer venue to the U.S. Bankruptcy Court for the District of Delaware, EM Energy Pennsylvania, LLC does not waive and expressly reserves its rights under 11 U.S.C. § 362 or any other law or rule.

interest of justice and for judicial and administrative economy, venue should lie in the United States Bankruptcy Court for the District of Delaware, where the jointly administered chapter 11 cases captioned *In re EdgeMarc Energy Holdings, LLC, et al.*, Case No. 19-11104 (BLS), are currently pending. The debtors in the jointly administered Delaware bankruptcy court cases include defendant and counterclaim plaintiff, EM Energy Pennsylvania, LLC, together with affiliated entities, EdgeMarc Energy Holdings, LLC, EM Energy Manager, LLC, EM Energy Employer, LLC, EM Energy Ohio, LLC, EM Energy West Virginia, LLC, EM Energy Keystone, LLC, EM Energy Midstream Ohio, LLC, and EM Energy Midstream Pennsylvania, LLC.

WHEREFORE, the Movants respectfully request that the Court enter an order, substantially in the form attached hereto, granting the relief requested.

Respectfully submitted,

Dated June 21, 2019

/s/ Stuart H. Sostmann, Esquire

Stuart H. Sostmann, PA ID No. 84065  
Gregory P. Graham, PA ID No. 317205  
MARSHALL DENNEHEY WARNER COLEMAN  
& GOGGIN  
501 Grant Street, Floor 7  
Pittsburgh, PA 15219  
Telephone: 412-803-1140  
Facsimile: 412-803-1188  
SHSostmann@mdwgcg.com  
GPGraham@mdwgcg.com

and

/s/ Megan Haines, Esquire

Megan S. Haines  
PA ID No. 203590  
McGuireWoods, LLP  
Tower Two-Sixty  
260 Forbes Avenue, Suite 1800  
Pittsburgh, PA 15222-3142  
Phone: 412.667.6000  
Fax: 412.667.6050  
mhaines@mcguirewoods.com  
COUNSEL FOR EM ENERGY  
PENNSYLVANIA, LLC

Michael P. Lynn, TX Bar No. 12738500

*Pro hac vice application forthcoming*

Chris Patton, NY Bar No. CP-0320

*Pro hac vice application forthcoming*

John Adams, TX Bar No. 20997277

*Pro hac vice application forthcoming*

LYNN PINKER COX & HURST, L.L.P.

2100 Ross Avenue, Suite 2700

Dallas, Texas 75201

Telephone: 214-981-3800

Facsimile: 214-981-3839

mlynn@lynnllp.com

cpatton@lynnllp.com

jadarns@lynnllp.com

*COUNSEL FOR ETC NORTHEAST PIPELINE,  
LLC*